

**No. 2018-07
ORDINANCE**

***An Ordinance of the Luzerne County Council Authorizing an Amendment
to the 2018 Budget to Allow for a Transfer from the Reserve Fund***

WHEREAS, the Luzerne County Public Defender's Office has entered its appearance in the representation of Joseph J. Marchetti, Jr. who is charged with criminal homicide and other offenses in which the Luzerne County District Attorney's Office has filed its Notice of Aggravating Circumstances and Intention to Seek the Death Penalty against him; and

WHEREAS, Joseph J. Marchetti, Jr. qualifies for representation by the Luzerne County Public Defender's Office and, as such, the Public Defender's Office is required to present a proper and effective legal defense on his behalf; and

WHEREAS, the Public Defender's Office has requested County Council to provide funding for this unanticipated and unbudgeted expense in order to meet its obligations to the Defendant as required by law; and

WHEREAS, funding for Joseph J. Marchetti, Jr.'s legal defense in a capital case is estimated to be approximately \$80,000.00; and

WHEREAS, Luzerne County Council desires to authorize an amendment to the 2018 Budget in order to authorize a transfer from the Reserve Fund to the Public Defender's Office in order for them to meet their obligations as required by law; and

WHEREAS, Section 5.10. F. requires County Council to make Budget Amendments by Ordinance adopted by an affirmative vote of at least a majority of its current members plus one.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, Luzerne County Council authorizes an amendment to the 2018 Budget for a transfer from the Reserve Fund as follows:

Add: 100.80.4152.560.17 – Public Defender's Office – Expert Witness Line Item: \$80,000

Subtract: 100.99.4940.585.10 Reserve Fund: (\$80,000)

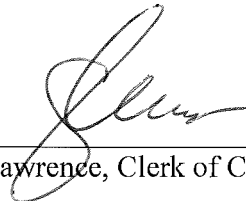
The 2018 adopted Budget for Luzerne County shall otherwise remain unchanged.

This Ordinance shall become effective fifteen (15) days after adoption.

ADOPTED this 26th day of June, 2018 by the Luzerne County Council.

ROLL CALL VOTE (8-3)
YES: Haas, Kelleher, McGinley, Perry, Saidman, Schnee, Vough and Waitkus
NO: Brominski, Houck and SA Urban

LUZERNE COUNTY COUNCIL

Attest: 
Sharon Lawrence, Clerk of Council

By: 
Tim McGinley, Chair

By: 
Eugene Kelleher, Vice Chair